IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRCIRT OF NORTH CAROLINA
WESTERN DIVISION
CASE NUMBER 5;16-CV-59D

X

JOSEPH JEMSEK M.D.,

Plaintiff,

v.

NORTH CAROLINA MEDICAL BOARD ET.AL,

Defendants.

X

PLAINTIFF'S RESPONSE IN OPPOSITION TO MOTION TO DISMISS.

COMES NOW the Plaintiff Joseph Jemsek M.D. by his undersigned attorneys and interposes this response in opposition to defendants' motion to dismiss the complaint in accordance with Local Rule of Civil Procedure 7.1(e) and 7.2.

1. The Plaintiff opposes defendants' motion to dismiss the complaint made pursuant to Federal Rule of Civil procedure 12(b)(1), 12(b)(6) and 12(b)(2) for all of the reasons set forth in the accompanying memorandum submitted pursuant to Rule 7.2.

2. For all of the reasons set forth in the accompanying memorandum in opposition to defendants' motion to dismiss the motion should be denied in its entirety.

Dated: May 26, 2016

Attorneys for the Plaintiff:

/s/______________________________

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CERTIFICATE OF SERVICE

I hereby certify that on May 26, 2016 I electronically filed the foregoing motion with the Clerk of the Court using CM/ECF system which will send notification of the filing to all counsel of record.

May 26, 2016

/s/ Jacques G. Simon